



U.S. Department of Justice
Office of Information Policy
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1425 New York Avenue, NW
Washington, DC 20530-0001

Telephone: (202) 514-3642

Ms. Emma Best
DEPT MR 33281
411A Highland Avenue
Somerville, MA 02144-2516
33281-47729491@requests.muckrock.com

Re: Appeal No. DOJ-AP-2018-007083
Request No. 1368026-000
CDT:PJA

VIA: Email

Dear Ms. Best:

You appealed from the action of the Federal Bureau of Investigation on your remanded Freedom of Information Act request for access to records concerning source code and other development materials, including testing, feedback, effectiveness evaluations, privacy and other legal concerns, as well as memos, letters, and emails relating to the development or procurement of the Child ID App. I note that your appeal specifically concerns the adequacy of the FBI's search for records responsive to your FOIA request. Please note that this Office was closed due to a lapse in funding appropriations between December 22, 2018 and January 25, 2019, which resulted in a delay in responding to your appeal.

After carefully considering your appeal, I am affirming the FBI's action on your request. The FBI informed you that it could locate no responsive records subject to the FOIA in its files. I have determined that the FBI's action was correct and that it conducted an adequate, reasonable search for such records. Please note that the FBI's search included an email search of the developer of the App.

Please be advised that this Office's decision was made only after a full review of this matter. Your appeal was assigned to an attorney with this Office who thoroughly reviewed and analyzed your appeal, your underlying request, and the action of the FBI in response to your request.

If you are dissatisfied with my action on your appeal, the FOIA permits you to file a lawsuit in federal district court in accordance with 5 U.S.C. § 552(a)(4)(B).

For your information, the Office of Government Information Services (OGIS) offers mediation services to resolve disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. Using OGIS services does not affect your right to pursue litigation. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, Room 2510, 8601 Adelphi Road, College Park, Maryland 20740-6001; email at ogis@nara.gov; telephone at 202-741-5770; toll

free at 1-877-684-6448; or facsimile at 202-741-5769. If you have any questions regarding the action this Office has taken on your appeal, you may contact this Office's FOIA Public Liaison for your appeal. Specifically, you may speak with the undersigned agency official by calling (202) 514-3642.

Sincerely,

2/21/2019

X 

Sean R. O'Neill

Chief, Administrative Appeals Staff

Signed by: SEAN O'NEILL